



Debevoise & Plimpton LLP  
66 Hudson Boulevard  
New York, NY 10001  
+1 212 909 6000

May 12, 2023

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The Honorable Mary Kay Vyskocil  
United States District Court for the Southern District of New York  
500 Pearl Street  
New York, New York 10007

***Rauch Industries, Inc. v. Heart Artist LLC, et al., No. 22 CV 909 (MKV) (JLC)***

Dear Judge Vyskocil:

The undersigned counsel represent Plaintiff Rauch Industries, Inc. (“Rauch”) and Defendants Christopher Radko (“Radko”) and Heart Artist LLC (“Heart Artist”) (collectively “Defendants” and together with Rauch, the “Parties”) in the above-referenced action. We write to jointly request an adjournment of the status conference currently scheduled for May 23, 2023, (ECF No. 162), to a date following the completion of discovery.

This case is currently stayed to allow the parties to focus on settlement discussions. *See* ECF No. 166. The Parties are engaged in settlement discussions, and have agreed to participate in a second settlement conference before Judge Cott. Should the stay be lifted, the Parties would have additional fact discovery and all of expert discovery to complete. The Parties now seek an adjournment of the May 23, 2023, status conference to a time when they can more effectively provide the pre-conference submissions required by the Court’s Civil Case Management Plan No. 16, including a joint letter with “a statement of whether any party anticipates filing a motion for summary judgment or a motion to exclude expert testimony[.]”

Thank you for your attention to this matter.

Respectfully submitted,

/s/ Megan K. Bannigan  
Megan K. Bannigan  
David H. Bernstein  
Kathryn C. Saba  
**Debevoise & Plimpton LLP**  
919 Third Avenue  
New York, New York, 10022  
Telephone: (212) 909-6000

*Attorneys for Plaintiff Rauch Industries, Inc.*

/s/ Roxanne Elings  
Gayle Roxanne Elings  
**Davis Wright Tremaine LLP**  
1251 Avenue of the Americas  
Ste. 5a  
New York, New York 10128  
Telephone: 971-691-1202

Gerry Grunsfeld  
**Lazar Grunsfeld Elnadav LLP**  
1795 Coney Island Avenue, Suite 200  
Brooklyn, New York, 11230  
Telephone: (718) 659-1300

The Hon. Mary Kay Vyskocil

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*Attorneys for Defendants Christopher Radko  
and Heart Artist LLC*

**GRANTED. The May 23, 2023 Status Conference is ADJOURNED  
to June 27, 2023 at 3:00 PM. SO ORDERED.**

Date: 5/15/2023  
New York, New York

Mary Kay Vyskocil  
Mary Kay Vyskocil  
United States District Judge